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CITY OF TRACY

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CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

Re: Comments on CALFED Draft Programmatic EIS/EIR and the Revised Phase II Report

Dear Sir:

The purpose of this letter is provide comments on the CALFED Bay-Delta Draft Programmatic EIS/EIR with respect to potential effects on the City of Tracy. The City of Tracy (City) has been studying available flow in Old River and evaluating the potential effects of the proposed Interim South Delta Project (ISDP) on the City's wastewater discharge. As part of the CALFED Bay-Delta Program, all alternatives include the ISDP proposed construction of fish/flow control structures at the head of Old River, on Grant Line Canal, on Middle River and on Old River before Clifton Court Forebay. While these control structures do allow higher water elevations in the South Delta Region, the net effect of use of these barriers would be decreased flow in Old River and a "bathtub effect" with stagnant water pooled behind the barriers. This reach of Old River is the current location of the City of Tracy's wastewater discharge. We would like to take this opportunity to provide you information on the City of Tracy's wastewater discharge to Old River and the need for flow in Old River for the City to continue meeting their discharge requirements as established in their NPDES Permit.

The City of Tracy is permitted (NPDES permit) for a wastewater discharge of 9 mgd into Old River near Paradise Cut, as shown in Figure 1. The City's recent Wastewater Master Plan (CH2M Hill, 1994) projected the wastewater flow to increase to 32.5 mgd (50.29 cfs) by 2012. The likely near term expansion at the WWTP to accommodate the rapidly growing city would be to 15 mgd (23.21 cfs).

Old River's beneficial uses include municipal, industrial and agricultural supply; recreation; freshwater habitat; wildlife habitat; migration; spawning; and navigation. Salmon have been found in Old River during the fall, based on information from fish pulls recorded by DWR during the temporary barriers project. In addition, juvenile emigrants may also pass through Old River in the Spring.

Based on the beneficial uses of Old River, the City of Tracy's existing permit establishes water quality objectives for the receiving water for the following: Dissolved Oxygen (DO) > 5.0 mg/l, temperature and turbidity. In addition, the discharge is not to cause toxicity to aquatic organisms. A summary of the existing NPDES permit requirements is shown in Table 1.

In addition to meeting existing permit requirements for current users, the City is also concerned about meeting anticipated permit requirements for both current and new users. Anticipated requirements include EPA's newly proposed California Toxics Rule (CTR) and the State's pending Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California (ISWP/EBEP) are anticipated to impose new standards on the City's discharge in the near future.

Table 1 Summary of the City of Tracy's Waste Discharge Requirements

Effluent Limitations:	Average Monthly	Average Weekly	Daily Maximum
BOD_5, mg/l	20	40	50
TSS, mg/l	20	40	50
Total Coliform, MPN/100ml	23 (30 day median)	--	500

•Discharge shall not have a pH less than 6.5 or greater than 8.5

•Maximum effluent temperature shall not exceed natural receiving water temperature by more than 20 F.

•Survival of aquatic organisms for determining acute toxicity of undiluted waste shall be no less than: 70% minimum for any one bioassay and 90% median for any three consecutive bioassays.

Receiving Water Limitations: The discharge shall not cause in the receiving water:

•The concentration of dissolved oxygen to fall below 5.0 mg/l.

•Concentrations of any materials which are deleterious to human, animal, aquatic or plant life.

•Increases in turbidity by more than 10 % over background levels.

•A zone of water temperatures more than 1 F above the natural receiving water exceeding 25% of the cross-sectional area of the river.

•A surface water temperature rise greater than 4 F above the natural temperature.

The primary concern for the City of Tracy is the decreased flows through Old River during the spring, summer and fall months due to operation of the proposed flow control and fish control barriers and increased export pumping. Table 6.1.2-1 in the CALFED EIS/EIR shows a dramatic decrease in flow through Old River for nearly all alternatives, especially under the low inflow, high pumping condition. The average flow in Old River at Mossdale is shown as zero under this condition.

No flow or a significantly reduced flow down the head of Old River would put the City in violation of their discharge permit for nearly all of their water quality objectives. In addition, operation of the downstream barriers in Old River and Grant Line Canal during the summer months causes stagnation in Old River. Water quality in this reach will be impacted due to the stagnation, with a probable decrease in dissolved oxygen levels and increase in toxic substances due to agricultural drainage returns.

Dissolved oxygen (DO) levels are required by the Basin Plan to remain above 5.0 mg/l at all times. Dissolved oxygen is primarily a problem during the warmer summer months. In recent years, DO levels in Old River have had excursions below 5.0 mg/l during the summer. In August 1996, the DO in Old River dropped to 4.9 mg/l when the daily average flows were estimated to be 450 cfs and the downstream barriers were in place. We are concerned that the DO levels in Old River will drop below 5.0 mg/l at the proposed low flows based on past observations. A detailed model of DO throughout the reach of Old River would be required to better determine flow needs for maintaining DO >5 mg/l.

In addition, the CALFED EIS/EIR only evaluated the impacts on water quality in terms of salinity, dissolved organic carbon and bromides. There is no evaluation of DO levels although much of the south and central Delta regions are often in violation of the Basin Plan for DO objectives. It appears that the primary concern in evaluating the water quality impacts is for the drinking water supply intakes at the state and federal pumps and at the Contra Costa Canal intake and not the overall environmental concerns associated with fishery resources. Water quality issues in terms of the effects on the Delta environment are for the most part not addressed or addressed in a limited fashion such as for alternative 3: salinity in the south Delta is anticipated to increase. As we discussed earlier, the reduction of flow down Old River paired with the bathtub effect caused by the downstream barriers will cause more water quality problems than just increased salinity.

Avoiding impacts to Old River's beneficial uses (municipal, industrial and agricultural supply; recreation; freshwater habitat; wildlife habitat; migration; spawning; and navigation) requires meeting the Basin Plan objectives for water quality, at a minimum. The water quality evaluation presented in the CALFED EIS/EIR for the south Delta is inadequate for determining the effect on the beneficial uses in Old River, except for the drinking water supply. Consequently, dischargers, such as the City of Tracy, are unable to adequately determine if their discharges will impact the beneficial uses under the proposed EIS/EIR alternatives. However, it is likely that water quality in Old River will be impaired by all the alternatives and therefore the City will be unable to meet their discharge requirements, which are based on protection of the beneficial uses of Old River. In an effort to respond to the CALFED EIS/EIR (under any of the project alternatives) and to protect the environmental and fisheries resources in Old River, the City of Tracy could be presented with a situation forcing the relocation of their discharge point and/or provide higher treatment levels. The financial and environmental burden placed on the City of Tracy under such a scenario, paired with the inevitable impact on water quality of decreased water flow in Old River should be reviewed and considered as part of the CALFED EIS/EIR.

Sincerely,

Steven G. Bayley
Deputy Director of Public Works

cc: Fred Diaz